

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of
Bern

Group Art Unit: 3709

U.S. App'n Ser. No.: 10/520,111

Examiner: Wert, Joshua P.

Filed: December 17, 2004

Att. Docket No.: 62642-P10008

For: A GAME CONSOLE IN AN ELECTRONIC CARD GAME SYSTEM, AN
ELECTRONIC GAME CARD TO BE RECEIVED THEREBY, AND AN
ELECTRONIC CARD GAME SYSTEM

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2 December 2008

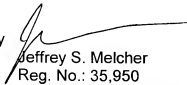
RESPONSE TO ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Order Returning Undocketed Appeal to Examiner mailed 26 November 2008, filed herewith is a replacement (v) Summary of Claimed Subject Matter, which maps the independent claims 17 and 24 to the reference numbers in the originally filed Figs. While the Order states on page 2 that "independent claims 1 and 24 to the Specification," Appellant believes that the Order intended to state map independent claims 17 and 24 to the Drawings. Claim 1 is cancelled and claims 17 is independent. Furthermore, the "and to the drawing, if any, by reference characters" is underlined. If the Board requests any further information, Appellant requests that the Board provide further time for Appellant to comply. Entry of the replacement Summary and a favorable decision on Appeal are respectfully requested.

Respectfully submitted,
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REPLACEMENT SUMMARY OF CLAIMED SUBJECT MATTER FOR APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

(v). Summary of Claimed Subject Matter:

Independent claim 17 provides a game console (1) in an electronic card game system comprising a power supply (3), a display (5), a processor (7), memory means (9), electronic game card reading means (11), electronic game card writing means (13), electronic game card receiving means (15), and communication means (17) for communicating with at least one other game console (1), the processor (7) being configured for reading a first data item from an electronic game card (19, 31) at least partially inserted in the electronic game card receiving means (15), using the electronic game card reading means (11), the electronic game card (19, 31) comprising a memory (33) comprising changeable data, the changeable data comprising at least one game related attribute (35) and at least one value (37) associated thereto; receiving a second data item from a second game console (1) using the communication means (17), the data comprising at least one game related attribute (35) and at least one value (37) associated thereto; generating a game result based on the first data item and the

second data item in respect of the at least one game related attribute (35) and the at least one value (37) associated thereto; writing at least one first new value (37) related to the at least one game related attribute (35) to the memory (33) of the electronic game card (19, 31), using the electronic game card writing means (13); transmitting at least one second new value (37) data in relation to the at least one other game console (1) using the communication means (17); and displaying, on the display (5), at least one of: the first data item, the second data item, the at least one first new value (37) related to the at least one game related attribute (35) of the electronic game card (19, 31), at least one second new value (37) related to the at least one game related attribute (35) related to the second game console (1), and a game result. Basis for claim 17 can be found in the originally filed application including at page 9, line 29 to page 10, line 32.

Independent claim 24 provides an electronic game card game system, comprising at least a first game console (1) and a second game console (1), the first game console comprising a power supply (3), a display (5), a processor (7), memory means (9), electronic game card receiving means (15), electronic game card reading means (11), electronic game card writing means (13), and communication means (17) for communicating with at least one other game console (1); an electronic game card (19, 31) able to be at least partially inserted into the electronic game card receiving means (15) of the first game console (1), the electronic game card (19, 31) comprising a memory (33) comprising changeable data, the changeable data comprising at least one game related attribute (35) and at least one, value (37) associated thereto; the electronic game card (19, 31) when inserted into the electronic game card receiving means (15), being configured for allowing reading of the at least one value (37) related to the at least one game related attribute (35), using the electronic game card reading means (11); and receiving at least one new value (37), which new value (37) is generated by the processor (7) of the first game console (1) and which is related to the at least one game related attribute (35), using the electronic game card writing means (13). Basis for claim 24 can be found in the originally filed application including at page 9, line 29 to page 10, line 22.